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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,390	02/07/2001	Daniel E. Ford	10007261-1	5498

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12/21/2004

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

WANG, LIANG CHE A

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/779,390

Applicant(s)

FORD ET AL.

Examiner

Liang-che Alex Wang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-21 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Utsumi et al., US Patent Number 6,693,896, hereinafter Utsumi, in views of Gulati et al., US Patent Number 6,542,942, hereinafter Gulati.
4. Referring to claim 1, Utsumi has taught in a distributed computer networked system (figure 1) having at least one service consumer (item 11) and at least one service provider (item 32-1), a method for accessing a remote software component comprising:
 - a. generating a request for a component having at least one specified attribute (Col 2 lines 4-5);
 - b. transmitting the request across the network (Col 1 line 67 -Col 2 line 4);
 - c. receiving the request at a service provider (Col 18 lines 40-45, figure 8);
 - d. comparing the at least one specified attribute of the received request with component attributes of the service provider (Col 17 lines 26-28, Col 2 lines 7-9);
 - e. communicating a response to the requesting service consumer (Col 2 lines 9-11.)Utsumi has not explicitly taught broadcasting the request.

However, Gulati has taught a communication device is using a line card to broadcast the request over a multicast channel to multiple call processors (Col 8 lines 1-9, and Fig 1).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the broadcasting method of Gulati in Utsumi such that to have Utsumi's system to use the broadcasting method to transmit information from the consumer device to the service provider because both Utsumi and Gulati disclose inventions regarding sending request from a communication device to a remote device in a communication network (see both title.)

A person with ordinary skill in the art would have been motivated to make the modification to Utsumi because the broadcasting method would facilitate the exchange of information, and multiple devices operatively connected to the network as taught by Gulati (Col 2 lines 18-21.)

5. Referring to claim 2, Utsumi as modified has further taught wherein software component is selected from the group consisting of: a service (figure 5), a resource (Col 1 lines 8-12), an interface (figure 3), and a program segment (Figure 5) (service providers are programs that provide interfaces, components or resources to other programs.)
6. Referring to claim 3, Utsumi as modified has further taught, wherein the step of generating a request including formulating a service descriptor, the service descriptor being an object that specifies the at least one specified attribute (Col 17 lines 25-36, selecting the desired channel is formulating the service descriptor.)

7. Referring to claim 4, Utsumi as modified has further taught wherein the step of broadcasting the request utilizes a multicast protocol for broadcasting the request across the network (Col 17 lines 33-34, Col 22 lines 37-42.)
8. Referring to claim 5, Utsumi as modified has further taught wherein the network is a local area network (Gulati figure 1.)
9. Referring to claim 6, Utsumi as modified has further taught wherein the network is a wide area network (Utsumi figure 1)
10. Referring to claim 7, Utsumi as modified has further taught wherein the step of communicating a response utilizing a unicast protocol (Col 18 lines 1-5).
11. Referring to claim 8, Utsumi as modified has further taught the step of formulating the response by the service provider, which response includes an identification of a network location of the service provider (see figure 5).
12. Referring to claim 9, Utsumi as modified has further taught the step of directly requesting the component from the service provider by the service consumer, in response to the response received by the service consumer (Col 9 lines 51-57.)
13. Referring to claim 10, Utsumi as modified has further taught wherein the step of formulating a response further includes associating with the response code for interfacing with the requested component, without requiring a driver to be separated installed on the service consumer (see figure 5.)
14. Referring to claim 11, Utsumi has taught the steps described above could be performed by computer program for executing processing as described in his invention (Col 24 lines 35-66), and Java code is one of the well-known computer program code.

15. Referring to claims 12-17, claims 12-17 encompass the same scope of the invention as that of the claims 1, 4, 8-11. Therefore, claims 12-17 are rejected for the same reason as the claims 1, 4, 8-11.
16. Referring to claim 18, Utsumi as modified has further taught wherein the means for generating a request includes a service finder (Col 1 line 66- Col 2 line 26, selecting a channel is viewed as finding a service.)
17. Referring to claim 19, Utsumi as modified has further taught means for consolidating response and providing the consolidated response to the service consumer (figure 5)
18. Referring to claim 20, claim 20 encompasses the same scope of the invention as that of the claim 1. Therefore, claim 20 is rejected for the same reason as the claim 1.
19. Referring to claim 1, Utsumi has taught in a distributed computer networked system (figure 1) having at least one service consumer (item 11) and at least one service provider (item 32-1), a method for accessing a remote software component comprising:
 - a. generating a request for a component having at least one specified attribute (Col 2 lines 4-5);
 - b. transmitting the request across the network (Col 1 line 67 -Col 2 line 4);
 - c. receiving the request at each of a plurality of service providers on the network (Figure 1, video server 32-1 ~ 32-N, Col 18 lines 40-45, figure 8);
 - d. comparing the at each of the plurality of service providers, the at least one specified attribute of the received request with component attributes of the service provider (Col 17 lines 26-28, Col 2 lines 7-9);

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- e. communicating, from each of the plurality of service provider, a response to the requesting service consumer (Col 2 lines 9-11.)

Utsumi has not explicitly taught broadcasting the request.

However, Gulati has taught a communication device is using a line card to broadcast the request over a multicast channel to multiple call processors (Col 8 lines 1-9, and Fig 1).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the broadcasting method of Gulati in Utsumi such that to have Utsumi's system to use the broadcasting method to transmit information from the consumer device to the service provider because both Utsumi and Gulati disclose inventions regarding sending request from a communication device to a remote device in a communication network (see both title.)

A person with ordinary skill in the art would have been motivated to make the modification to Utsumi because the broadcasting method would facilitate the exchange of information, and multiple devices operatively connected to the network as taught by Gulati (Col 2 lines 18-21.)

Response to Arguments

20. Applicant's arguments with respect to claims 1-21, have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
22. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.
23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
24. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on (571)272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
25. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang
December 14, 2004


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER